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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/761,557	01/16/2001	Mati Amit	TI-31019	5932
23494	7590	08/09/2004	EXAMINER	
TEXAS INSTRUMENTS INCORPORATED P O BOX 655474, M/S 3999 DALLAS, TX 75265			CHANG, RICHARD	
			ART UNIT	PAPER NUMBER
			2663	
			DATE MAILED: 08/09/2004	

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/761,557

Applicant(s)

AMIT, MATI

Examiner

Richard Chang

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 June 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 11, 17 and 20-22 is/are rejected.
- 7) ☒ Claim(s) 2-10, 12-16, 18-19 and 23-26 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 1/1/16/2001.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities in the specification:

Duplicated words "may be located in" are found in page 7, line 3.

Mistyped words "MAC 138" are found in the entire paragraph started page 7, line 15. It should be "MAC 140" standing for the upstream receiver MAC to match the drawing in Fig. 4.

Mistyped words "receiver IC 226, 336, 442" are found in the page 14, line. It should be "receiver IC 226, 336, 444" to be consistent within the specification.

Mistyped words "transmitter IC 234, 334, 444" are found in the page 14, line. It should be "transmitter IC 234, 334, 442" to be consistent within the specification.

Appropriate corrections are required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 17 and 20-22 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by US patent No. 5,892,768 ("Jeng").

Regarding claims 1, 17 and 20-22, Jeng teaches a device for bridging Local Area Networks implementing Ethernet network protocols with Wide Area Networks (A communication device for a cable communications network) comprising of

MAC 46 and its coupled buffer memory 50 implemented are used to receive, store and process packets from Ethernet (a first integrated circuit including ... a first media access control (MAC) function),

MAC 48 and its coupled buffer memory 52 is used to receive store and process frames being sent to the Ethernet (a second IC including ... a second MAC function), and

the buffer memories 50 and 52 are included to provide storage necessary for flow control managed by the MACs where the MAC 46 controls the RX path and MAC 48 controls the TX path (wherein the first ... communications, respectively); (See Fig. 2, Col. 3, line 55 to Col. 4, line 65).

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claim 11 is rejected under 35 U.S.C. 102(e) as being clearly anticipated by US patent No. 6,490,727 ("Nazarathy et al").

Regarding claims 11, Nazarathy et al teach a hybrid fiber cable network (a communication device) comprising of

a fiber interface to connecting on one side to the digital optical transmitter 418 (a fiber interface),

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a gateway 456 as an Interactive Agent is essentially a layer 2 bridge or layer 3 switch or router (an L2/L3 switch ... fiber interface),

a microcontroller included in the Interactive Agent in fiber node 194 (a central processing unit ... L2/L3 switch),

a digital optical transmitter 418 connected on one side to the gateway (one or more transmitters ... L2/L3 switch), and

a receiver 420 connected on one side to the gateway and on the other side any type of transmission medium, be it twisted pair, wireless or coaxial cable (one or more receivers ... L2/L3 switch) (See Fig. 20, Col. 35, line 52 - Col. 36, line 46).

Allowable Subject Matter

5. Claims 2-10, 12-16, 18-19 and 23-26 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims and if no art rejection can be applied.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard Chang whose telephone number is 703-605-4398. The examiner can normally be reached on Monday - Friday from 8 AM to 5 PM.

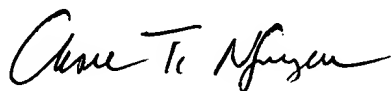
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau T Nguyen can be reached on 703-308-5340. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Richard Chang
Patent Examiner
Art Unit 2663

RKC
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